

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GERALD STANLEY,
Plaintiff,

v.

RON DAVIS,
Defendant.

Case No. [15-cv-01578-JSC](#)

ORDER OF DISMISSAL

On April 7, 2015, Petitioner, a California prisoner proceeding pro se, filed this petition for a writ of habeas corpus under 28 U.S.C. § 2254.¹ On the same day, the Clerk notified Petitioner he had neither paid the filing fee nor filed an application to proceed in forma pauperis ("IFP"). The Clerk mailed Petitioner the Court's IFP form along with the deficiency notice, as well as a stamped return envelope and instructions for completing the IFP form. The notice informed him that the case would be dismissed if he did not either pay the filing fee or file a completed IFP application within 28 days. No response has been received. Accordingly, this case is **DISMISSED** without prejudice to filing the petition in a new action in which he either pays the filing fee or submits a complete IFP application.

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: May 29, 2015


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

¹ Petitioner has consented to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c). (Dkt. No. 1 at 7.)